

**ELECTRIC SERVICE TERRITORY
MEMORANDUM OF UNDERSTANDING**

WHEREAS, the City of Vermillion (City) and Clay-Union Electric (CUE) each have service territory within the Vermillion city limits; and

WHEREAS, electric service territory maps dated September 10, 2014 are on file with the South Dakota Public Utilities Commission (SD PUC) defining the respective service territory of each electric service provider; and

WHEREAS, the 2014 legal description and maps on file with the SD PUC do not currently tie to existing property corners in the Bliss Pointe subdivision; and

WHEREAS, the development of Bliss Pointe Addition has platted out lots which can be utilized to better describe the service territory; and

WHEREAS, the City and CUE agree to amend the legal description of the Bliss Pointe Subdivision utilizing property pins that did not exist in 2014, (Exhibit 1); and

WHEREAS, two other locations were identified where there are discrepancies between the 2014 legal description and map on file with the SD PUC; and

WHEREAS, the City and CUE agreed to have the map amended and updated to accurately reflect the legal description, (Exhibit 2&3).

NOW, THEREFORE, this Memorandum of Understanding and legally binding contract is entered into by and between the City of Vermillion and Clay-Union Electric to set forth in writing the following terms:

1. The City of Vermillion and Clay-Union Electric will jointly request the PUC revise maps and legal description.

The Current Boundary: Legal Description as Approved in Docket EL14-105

{Note: found on page 7 of Exhibit A (Legal Description) in docket EL14-105.}

2. *THENCE continue northeast along Highway 19 to a line extending north from the western most point of Lot 6 of Block 1 of O'Connor Addition in Section 14 of T92N, R52W,*
3. *THENCE continue south 300 feet,*
4. *THENCE continue east 1220 feet,*

5. *THENCE continue north to a point within Lot C that intersects with a line extending east from the SE corner of Lot 8 of Lot E of Oden Addition in Section 14 of T92N, R52W,*
6. *THENCE continue west to the SE corner of Lot 8 of Lot E of Oden Addition in Section 14,*
7. *THENCE continue north to the centerline of Highway 19,*

{Note: Electric service territory legal description continues onward at paragraph 8 on page 7 of Exhibit A (Legal Description) in docket EL14-105.}

City and CUE request the boundary be approved as follows:

Revised Legal Description

{Note: Electric service territory revision is to paragraphs 3 through 6 on page 7 of Exhibit A (Legal Description) found in docket EL14-105.}

2. *THENCE continue northeast along Highway 19 to a line extending north from the western most point of Lot 6 of Block 1 of O'Connor Addition in Section 14 of T92N, R52W,*
3. *THENCE continue south to the western most point of Lot 6 of Block 1 of O'Connor Addition in Section 14,*
4. *THENCE continue east along lot line to the northern most point of Lot 5 of Block 1 of Bliss Pointe Addition in Section 14 of T92N, R52W,*
 - a. *THENCE continue southwest along lot line to the western most point of Lot 5 of Block 1 of Bliss Pointe Addition in Section 14,*
 - b. *THENCE continue southeast along lot line to the southernmost point of Lot 5 of Block 1 of Bliss Pointe Addition in Section 14,*
 - c. *THENCE continue northeast along lot lines to the SE corner of Lot 4 of Block 1 of Bliss Pointe Addition in Section 14,*
 - d. *THENCE continue east along lot lines to the SE corner of Lot 7 of Block 3 of Bliss Pointe Addition in Section 14, T92N, R52W,*
5. *THENCE continue north to the southern lot line of the south ½ of Lot C, NW ¼, SE ¼, in Section 14 of T92N, R52W,*
 - a. *THENCE continue east along lot line to the SE corner of the south ½ of Lot C, NW ¼, SE ¼, in Section 14,*
 - b. *THENCE continue north along lot line to the SW corner of Lot 3 of Oden Addition in Section 14,*
6. *THENCE continue west to the eastern lot line of Lot 7, Block 1 of Lot E, NW ¼, SE ¼, in Section 14,*


7. *THENCE continue north along lot lines to the centerline of Highway 19,*

{Note: Electric service territory legal description continues onward at paragraph 8 on page 7 of Exhibit A (Legal Description) in docket EL14-105.}

2. The City of Vermillion and Clay-Union Electric agree and jointly request that the SD PUC update the Clay-Union and Vermillion Electric Service Territory map in form and manner as depicted on Exhibit 1, attached hereto, to accurately represent the service territory as described in Exhibit A in docket EL14-105.
3. The City of Vermillion and Clay-Union Electric agree and jointly request that the SD PUC update the Clay-Union and Vermillion Electric Service Territory map to accurately represent the service territory as depicted in Exhibit A within Docket EL-105 in form and manner as depicted on Exhibits 2 and 3 attached hereto.

Dated in Vermillion, South Dakota this 26th day of September 2022.

CITY OF VERMILLION, a municipal
Corporation of the State of South Dakota

By 
Jonathan D. Cole, Mayor

Dated: 10/3/22

CLAY-UNION ELECTRIC

By 
Tom Larsen, President

Dated: 9-26-22

